

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Luis Ramon NORIEGA (1)

Leticia GALINDO (2)

Defendants.

Mag. Case No.

'08 MJ 8281

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1324(a)(2)(B)(iii)  
Bringing in Illegal Aliens Without  
Presentation

The undersigned complainant being duly sworn states:

On or about March 27, 2008, within the Southern District of California, defendants Luis Ramon NORIEGA and Leticia GALINDO, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Jaime Alejandro LEMUS-Torres, had not received prior official authorization to come to, enter and reside in the United States, did bring to and attempt to bring to the United States said alien and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

RICHARD P. RAMIREZ  
Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS DAY OF  
1<sup>ST</sup> DAY OF APRIL 2008.

PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

I, Senior Border Patrol Agent Richard Ramirez declare under penalty of Perjury, the following is true and correct:

## **PROBABLE CAUSE STATEMENT**

The complaint states that this complaint is based upon statements in the investigative reports by the apprehending agent, Border Patrol Agent V. Huerta that on March 27, 2008, the defendant's, Luis NORIEGA-Raymond and Leticia GALINDO, both citizens of the United States were apprehended as foot guides, guiding (1) one illegal alien from Mexico in violation of law.

On March 27, 2008, BPA V. Huerta was performing his assigned duties approximately .5 miles east of the Calexico, California West Port of Entry. At approximately 7:35 p.m. BPA V. Huerta observed a male subject later identified as Luis NORIEGA-Raymond, and a female subject later identified as Leticia GALINDO standing at the intersection of 1<sup>st</sup> and Encinas street. According to BPA V. Huerta, NORIEGA is a well known alien smuggler in the Calexico area of operations, and has numerous prior apprehensions for alien smuggling.

BPA V. Huerta observed a Border Patrol Agent leave the area of 1<sup>st</sup> and Encinas street in order to respond to a possible undocumented alien in the area east of his location. BPA V. Huerta then heard NORIEGA and GALINDO using their Nextel radio's and walk westbound on the north side of 1<sup>st</sup> street. NORIEGA then ran back to the intersection of 1<sup>st</sup> and Encinas street, northbound on Encinas and westbound into Renaud Court.

Shortly thereafter, BPA V. Huerta saw an illegal alien, later identified as Jaime Alejandro LEMUS-Torres climb down from the International Boundary Fence and run north on Encinas street. BPA V. Huerta ran after LEMUS as he continued north and then westbound into Renaud Court straight towards NORIEGA who was standing in front of 737 Renaud Court (apartment complex). BPA V. Huerta heard NORIEGA instruct LEMUS to keep on running the other way. Other agents responded to the immediate area and detained NORIEGA. BPA V. Huerta continued to run after LEMUS and located him hiding underneath a stairwell. BPA V. Huerta identified himself as a United States Border Patrol Agent and questioned LEMUS as to his citizenship. LEMUS stated he is a citizen and national of Mexico and did not have any immigration documents allowing him to be in, work or remain in the United States legally. LEMUS was placed under arrest and transported to the station for processing.

BPA V. Huerta requested via-service radio that GALINDO be taken into custody for alien smuggling. Agents later located and apprehended GALINDO at the intersection of 1<sup>st</sup> street and Blair Avenue.

BPA V. Huerta responded back to the location where NORIEGA had been detained and advised him, he was being arrested for alien smuggling. For officer's safety, BPA V. Huerta conducted a pat down and located a cell phone and a set of keys. NORIEGA stated GALINDO gave him the keys, in order to check if she had locked the door to her apartment at 737 Renaud Court.

At the station, LEMUS was advised of his administrative rights as per immigration form I-826. Records checks revealed LEMUS had an extensive criminal history, a prior deportation date and an outstanding warrant for his arrest (WNO#163968575) for a narcotics violation issued from Orange County. Records checks for NORIEGA revealed seven prior apprehensions for 8 USC 1324 alien

smuggling and an extensive criminal history. Records checks for GALINDO revealed no prior apprehensions for alien smuggling but did reveal numerous arrests for narcotics violations.

At approximately 10:56 p.m. BPA S. Guzman witnessed BPA G. Mendez advise NORIEGA of his rights as per Miranda. NORIEGA stated he understood his rights and did not want to speak without an attorney present.

At approximately 12:38 a.m. BPA S. Guzman witnessed BPA G. Mendez advise GALINDO of her rights as per Miranda. GALINDO stated she understood her rights and did not want to speak without an attorney present.


At approximately 11:06 p.m. BPA G. Mendez conducted a videotaped sworn statement with LEMUS. LEMUS stated he is a citizen and national of Mexico and he did not have any immigration documents with him allowing him to be in, work or remain in the United States legally. He stated his true and correct name is Jaime Alejandro LEMUS-Torres and he was born in Guadalajara, Mexico, on June 6, 1979. He further stated, he made arrangements with an unknown smuggler in Mexicali, Mexico, at a park and was to pay \$2,000.00. He last entered the United States on Thursday, March 27, 2008, by climbing over the International Boundary Fence. LEMUS stated when he ran north towards some apartments an unknown person told him to run in a different direction towards the alley. He tried to hide but the Border Patrol Agent found him. He was seeking to travel to Los Angeles, California, in order to be reunited with his family and seek employment.

The complaint state that the names of the Material Witnesses are as follows:

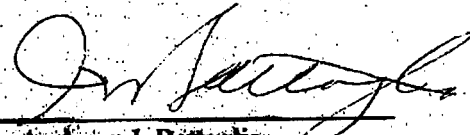
NAME	PLACE OF BIRTH
Jaime Alejandro LEMUS-Torres	Mexico

Further, complaint states that, Jaime Alejandro LEMUS-Torres, is a citizen of a country other than the United States; that said alien has admitted that he is deportable; that his testimony is material, that is impracticable to secure his attendance at the trial by subpoena; and he is a material witnesses in relation to their criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

Executed on March 28, 2008 at 1430hrs.

  
Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 3 pages, I find Probable cause to believe that the defendant named in this probable cause statement committed the offense on March 27, 2008 in violation of Title 8, United States Code 1324.

  
Anthony J. Battaglia  
United States Magistrate Judge

3/29/08 9:50 AM  
3/28/08 1430  
Date/Time